MULTIMEDIA UNIVERSITY

STUDENT ID NO

MULTIMEDIA UNIVERSITY

FINAL EXAMINATION

TRIMESTER 1, 2018/2019

UCL1612 - CONSTITUTIONAL LAW I

(All Sections / Groups)

16 OCTOBER 2018
Reading Time : 9.00 a.m. – 9.15 a.m.
(15 Minutes)
Answering Time: 9.15 a.m. – 12.15 p.m.
(3 Hours)

INSTRUCTIONS TO STUDENT

1. Students will have **fifteen minutes** during which they may read the paper and make rough notes ONLY in their question paper. Students then have the remaining **THREE HOURS** in which to answer the questions.

2. This Question paper consists of 2 pages with 5 Questions only.

3. Attempt **FOUR** out of FIVE questions. All questions carry equal marks and the distribution of the marks for each question is given.

4. Students are only allowed to bring in CLEAN AND ORIGINAL COPY of the following statutes into the exam venue :
   i. Federal Constitution
   "Clean" is defined to include no tagging, no annotation either by the publisher or anyone else, and no erased marking. Highlighting and underlining are also prohibited.

5. Please write all your answers in the Answer Booklet provided.

COMPULSORY QUESTION

QUESTION 1

Azlan is the leader of the Orange Party. The Orange Party controls the majority of seats in the *Dewan Rakyat.* As such, Azlan is also the Prime Minister of the country.

Throughout his tenure as a Prime Minister, Azlan had implemented some policy decisions that were very unpopular among his own senior Party members. As such, Azlan was not re-elected as the President of the Orange Party at the internal elections of the Party held last month.

The new President of the Orange Party is now Meor, the current Minister of Education.

Azlan was subsequently defeated in the *Dewan Rakyat* by a vote of no confidence against him, proposed by Muthu, the Minister of Health.

Azlan refuses to resign from his office.

Advise the *Yang di-Pertuan Agong*, Azlan and Meor in light of the relevant constitutional provisions and constitutional conventions.

(Total: 25 marks)

ANSWER ANY THREE OUT OF THE FOLLOWING FOUR QUESTIONS.

QUESTION 2

The doctrine of separation of powers must always be upheld in a modern democracy. It prevents the concentration of powers in a single branch of the Government.

Making reference to the three organs of Government, critically analyse whether this doctrine is applicable in Malaysia.

(Total: 25 marks)

Continued...

QUESTION 3

Explain the various procedures available for the *Dewan Rakyat* to scrutinise on the decisions made by the executive.

In what ways, if any, may the scrutiny procedures of the *Dewan Rakyat* be improved?

(Total: 25 marks)

QUESTION 4

Collective and Individual Ministerial Responsibility are important constitutional law concepts in ensuring good executive accountability.

Citing examples, discuss whether these concepts are applicable today.

(Total: 25 marks)

QUESTION 5

"The doctrine of supremacy of Parliament does not apply in Malaysia. Here we have a written constitution."

(Tun Suffian, L.P., in *Ah Thian* v *Government of Malaysia* [1976] 2 MLJ 112)

Discuss the accuracy of this statement with reference to constitutional provisions and relevant case laws.

(Total: 25 marks)

End of Page